(60)

HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ.

Writ Petition No. 873 of 2003 .

PETITIONER — Shri Hanumanji, Hanuman Mandir Sirauli, through : Sanrakshak Pujari Pandit Ramlakhan Shukla, son of Shri Neelkanth, aged about 65 years, occupation – Pujari, Hanuman Mandir Sirauli, Police Station – Manendragarh, Distt. Korea (Chhattisgarh)

Vs.

RESPONDENTS

1. State of Chhattisgarh through Secretary, Lok Nirman, Setu Nirman Vibhag Department, D.K.S. Bhawan, Raipur.
2. The Chief Engineer, Head Quarter, Lok Nirman Setu Nirman Vibhag, Raipur (Chhattisgarh)
3. Executive Engineer, Lok Nirman Setu Nirman Vibhag, Regional Office, Bilaspur (Chhattisgarh)
4. Assistant Engineer, Lok Nirman, Setu Nirman Vibhag Office, Near Astbal Ambikapur, Distt. Surguja (Chhattisgarh)

Present: Shri Bhaskar Pyasi, learned counsel for the petitioner.
Shri Sanjay S. Agrawal, learned G.A. for the State of Chhattisgarh and its authorities.

ORAL ORDER
(Passed on 13th September, 2006)

This writ petition is filed by a Pujari of Hanuman Mandir Ghat, Sirauli. It appears that a bridge is sought to be constructed for the convenience of the people of the locality near the Hanuman Mandir Ghat. The petitioner has complained that the site chosen by the respondents to construct the bridge near by the Hanuman Mandir Ghat is not feasible and the bridge could be constructed at Kothari Ghat.

(2) Opposing the writ petition, the respondents have filed return. In the return, it is stated that the decision to construct the bridge at Hanuman Mandir Ghat was taken in consultation with the technical experts and taking into account all other relevant considerations. It is also stated that if the bridge is constructed at the place suggested by the petitioner, it would hazardous to the public at large.

(3) The issue brought before the Court is not justifiable issue. It is for the technocrats and engineers who are entrusted with the construction of bridge and roads to choose a place where they should construct a bridge for the convenience of the public at large. It is not the case of the petitioner that for any extraneous consideration and with a *mala fide* intention, the respondents-authorities have chosen the place near Hanuman Mandir Ghat for construction of the bridge. Writ petition is, therefore, dismissed. No costs.

Sd/-
Chief Justice